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9 **UNITED STATES DISTRICT COURT**  
10 **DISTRICT OF NEVADA**

11 UNITED STATES OF AMERICA,  
12 Plaintiff,  
13 v.  
14 RAMON AVENDANO-SOTO AND  
JORGE ALFREDO SOTO,  
15 Defendant.  
16  
17

Case No. 2:20-CR-003-APG-EJY

**STIPULATION TO CONTINUE**  
**REPLY DEADLINES TO**  
**GOVERNMENT'S RESPONSE TO**  
**MOTION TO SUPPRESS (ECF NO.**  
**42) AND MOTION TO SEVER (ECF**  
**NO. 43) AND EVIDENTIARY**  
**HEARING**  
(First Request)

18  
19 IT IS HEREBY STIPULATED AND AGREED, by and between Nicholas A.  
20 Trutanich, United States Attorney, and Kevin Douglas Schiff, Assistant United States Attorney,  
21 counsel for the United States of America, and Rene L. Valladares, Federal Public Defender,  
22 and Raquel Lazo, Assistant Federal Public Defender, counsel for Ramon Avendano-Soto, and  
23 Christopher R. Oram, counsel for Jorge Alfredo Soto, that the reply deadlines to the  
24 Government's Response (ECF No. 36) to Defendant's Motion to Suppress (ECF No. 42)  
25 currently due July 22, 2020, and the Government's Response (ECF No. 37) to Defendant's  
26 Motion to Sever (ECF No. 43) currently scheduled for July 23, 2020, be vacated and set to

1 July 30, 2020, and that the evidentiary hearing currently scheduled for July 29, 2020, be vacated  
2 and set to a date and time convenient to this Court, but no sooner than forty-five (45) days.

3 This Stipulation is entered into for the following reasons:

4 1. Defense counsel require additional time to file their respective replies to the  
5 government's response (ECF No. 42) to each defendant's motion to suppress (ECF Nos. 27, 37  
6 and 38). Defense counsel for Soto also requires additional time to file his reply to the  
7 government's response (ECF No. 43) to his motion to sever (ECF No. 36).

8 2. In light of the government's response (ECF No. 42), defense counsel for  
9 Avendano-Soto will be filing a motion to compel information she believes is relevant and  
10 pertinent to the pending motion to suppress. The motion to compel impacts the ultimate issues  
11 raised in the suppression motions. The parties believe that it will be necessary to permit this  
12 motion to be fully briefed and litigated before the evidentiary hearing is held. As such, the  
13 parties request the evidentiary hearing be continued.

14 3. The defendants are not incarcerated and do not object to the continuance.

15 4. The parties agree to the continuance.

16 5. The additional time requested herein is not sought for purposes of delay, but  
17 merely to allow counsel for defendant sufficient time within which to be able to effectively  
18 prepare the replies.

19 6. Additionally, denial of this request for continuance could result in a miscarriage  
20 of justice.

21 This is the first request to continue the reply deadline dates and evidentiary hearing filed  
22 herein.

1 DATED this 20<sup>th</sup> day of July, 2020.

2  
3 RENE L. VALLADARES  
Federal Public Defender

NICHOLAS A. TRUTANICH  
United States Attorney

4  
5 */s/ Raquel Lazo*  
By \_\_\_\_\_

*/s/ Kevin Douglas Schiff*  
By \_\_\_\_\_

6 RAQUEL LAZO  
7 Assistant Federal Public Defender

KEVIN DOUGLAS SCHIFF  
Assistant United States Attorney

8 */s/ Christopher R. Oram*  
9 By \_\_\_\_\_

10 CHRISTOPHER R. ORAM  
Counsel for Jorge Alfredo Soto

1 **UNITED STATES DISTRICT COURT**

2 **DISTRICT OF NEVADA**

3  
4 UNITED STATES OF AMERICA,

5 Plaintiff,

6 v.

7 RAMON AVENDANO-SOTO AND  
8 JORGE ALFREDO SOTO,

9 Defendant.

Case No. 2:20-cr-00003-APG-EJY

FINDINGS OF FACT, CONCLUSIONS  
OF LAW AND ORDER

10 **FINDINGS OF FACT**

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12 Based on the pending Stipulation of counsel, and good cause appearing therefore, the  
13 Court finds that:

14 1. Defense counsel require additional time to file their respective replies to the  
15 government's response (ECF No. 42) to each defendant's motion to suppress (ECF Nos. 27, 37  
16 and 38). Defense counsel for Soto also requires additional time to file his reply to the  
17 government's response (ECF No. 43) to his motion to sever (ECF No. 36).

18 2. In light of the government's response, defense counsel for Avendano-Soto will  
19 be filing a motion to compel information she believes is relevant and pertinent to the pending  
20 motion to suppress. The motion to compel impacts the ultimate issues raised in the suppression  
21 motions. The parties believe that it will be necessary to permit this motion to be fully briefed  
22 and litigated before the evidentiary hearing is held. As such, the parties request the evidentiary  
23 hearing be continued.

24 3. The defendants are not incarcerated and do not object to the continuance.

25 4. The parties agree to the continuance.

1           5.       The additional time requested herein is not sought for purposes of delay, but  
2 merely to allow counsel for defendant sufficient time within which to be able to effectively  
3 prepare the replies.

4           6.       Additionally, denial of this request for continuance could result in a miscarriage  
5 of justice.

1 **UNITED STATES DISTRICT COURT**  
2 **DISTRICT OF NEVADA**

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 RAMON AVENDANO-SOTO AND  
7 JORGE ALFREDO SOTO,

8 Defendant.

Case No. 2:20-CR-003-APG-EJY

ORDER

9 **ORDER**

10 IT IS THEREFORE ORDERED that defense counsel's replies to the Government's  
11 Response (ECF No. 36) to Defendant's Motion to Suppress (ECF No. 42) currently due on July  
12 22, 2020, and the Government's Response (ECF No. 37) to Defendant's Motion to Sever (ECF  
13 No. 43) currently due on July 23, 2020, be vacated and continued to July 30, 2020, and that the  
14 evidentiary hearing currently scheduled for July 29, 2020 at 9:30 am, be vacated and  
15 continued to October 6, 2020 at the hour of 9:00 a.m., in Courtroom 3A.

16 DATED this 21st day of July, 2020.

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18 DAYNA L. ZOUCHEK  
19 UNITED STATES MAGISTRATE JUDGE  
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